

6-22-04

DAC

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/056,289	
	Filing Date	April 7, 1998 RECEIVED	
	First Named Inventor	John R. Shutt JUN 24 2004	
	Art Unit	1713 OFFICE OF PETITIONS	
	Examiner Name	F. Teskin	
Total Number of Pages in This Submission	22	Attorney Docket Number	98B017/3

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Statement in Support of Petition to Revive under CFR 1.137(a); Copy of Declaration in support of Petition to w/draw aban.; copy Not. of Allo.w/Issue Fee; Copy CPA transmittals; PAIR status.
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Express Mail Label: EV 3855 25089 US	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Paige Schmidt Registration No. 38,556 Customer No. 23455
Signature	<i>Paige Schmidt</i>
Date	6/21/04

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on			
Typed or printed name			
Signature	<i>Paige Schmidt</i>	Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)
Approved for use through 07/31/2006. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$110.00

Complete if Known

Application Number 09/056,289

Filing Date April 7, 1998

First Named Inventor John R. Schutt

Examiner Name F. Teskin

Art Unit 1713

Attorney Docket No. 98B017/3

RECEIVED

JUN 24 2004

OFFICE OF PETITIONS

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number

ExxonMobil Chemical Company

Deposit
Account
Name

05-1712

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND

Extra Claims		Fee from below	Fee Paid
Total Claims	-20** =		
Independent Claims	-3** =		
Multiple Dependent			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$) \$0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non - English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	110.00
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR § 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Statement	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) \$110.00

SUBMITTED BY

Name

Paige Schmidt

Registration No.
(Attorney/Agent)

38,556

Telephone

281-834-1441

Signature

Paige Schmidt

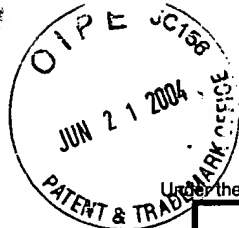
Date

6/21/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



#13

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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

98B017/3

First Named Inventor: John R. Shutt

Art Unit: 1713

Application Number: 09/056,289

Examiner: F. Tesig

Filed: April 7, 1998

Title: Polymerization Process

JUN 24 2004

OFFICE OF PETITIONS

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703)305-9382.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay

1. Petition fee

☐ Small entity - fee \$ _____ (37 CFR 1.17(l)) Applicant claims small entity status..
See 37 CFR 1.27.

☒ Other than small entity - fee \$ 110.00 (37 CFR 1.17(l)).

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of

(identify the type of reply):

☒ has been filed previously on _____ CPA was filed _____
☐ is enclosed herewith.

06/24/2004 AWONDAF1 00000130 051712 09056289

B. The issue fee of \$ _____ 01 FC:1452 110.00 DA

☐ has been paid previously on _____ CPA was filed _____
☐ is enclosed herewith.

(Page 1 of 3)

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

OIP E 35136
JUN 21 2004
PATENT & TRADEMARK OFFICE

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

98B017/3

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ or a small entity of \$ _____ other than a small entity) disclaiming the required period of time enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorize on PTO-2038.

6/21/04
Date

Paige Schmidt
Signature

281-834-1441
Telephone Number:

Paige Schmidt
Typed or printed name

38,556
Registration Number, if applicable

ExxonMobil Cheimcal Company
Address

5200 Bayway Drive, Baytown, TX 77522-2149
Address

Enclosures: ☒ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unavoidable delay

☒ Exp. Mail: EV 385525089 US

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being: **Exp Mail Label: EV 385525089 US**

Express Mail

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as ~~XXXX~~ in an envelope addressed to: **Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

6/21/04
Date

Paige Schmidt
Signature

Typed or printed name of person signing certificate



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BEFORE THE EXAMINER:

Shutt et al.

F. Teskin

Serial No.: 09/056,289

Group Art Unit No.: 1713

Filed: April 7, 1998

Attorney Docket No.: 98B017/3

For: Polymerization Process

Baytown, Texas

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JUN 24 2004

OFFICE OF PETITIONS

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

STATEMENTS IN SUPPORT OF PETITION TO REVIVE UNDER 37
C.F.R. § 1.137(a)

This is submitted in reply to the dismissal of Applicant's Petition to Withdraw Holding of Abandonment mailed June 1, 2004. Applicant submits that it did not engage in any delay with regard to replying to the Notice of Allowance dated May 9, 2000. In reply to that Notice, Applicant filed a Continued Prosecution Application on August 9, 2000. Upon receiving the Notice of Abandonment, Applicant confirmed that it did timely file the CPA and that it was received by the USPTO. Applicant delayed in reacting to the Notice of Abandonment only because the Notice of Abandonment was obviously in error, and it was believed that it would therefore be withdrawn and an Office Action issued on the CPA. Nevertheless, a Petition to Withdraw Holding of Abandonment was filed. The Declaration in Support of that Petition is attached as well as the documents referred to therein.

Respectfully submitted,

6/21/04
Date

Paige Schmidt
Paige Schmidt
Attorney for Applicants
Registration No. 38,556

ExxonMobil Chemical Company
Law Technology
P.O. Box 2149
Baytown, Texas 77522-2149
Phone: 281-834-1441
Fax: 281-834-2495

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Shutt, et al.

Docket No.

98B017/3

Serial No.

09/056,289

Filing Date

April 7, 1998

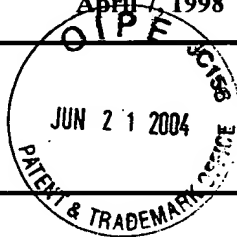
Examiner

F. Teskin

Group Art Unit

1713

Invention:

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JUN 24 2004

OFFICE OF PETITIONS

I hereby certify that the following correspondence:

Transmittal, Fee Sheet, Petition for Revival of a Patent Abandoned Unavoidably under 1.137(a), Statement in Support of Petition to Revive, Not. of Allow./Issue Fee, copy CPA transmittals, Declaration in Support of Petition to Withdraw Holding of Abandonment, Not. of Abandonment, and PAIRS printout.

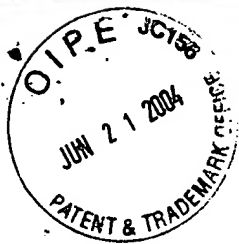
(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

June 21, 2004*(Date)*Jennifer S. Kaldor*(Typed or Printed Name of Person Mailing Correspondence)*

A handwritten signature in cursive script that reads "Jennifer S. Kaldor".

*(Signature of Person Mailing Correspondence)*EV 3855 25089 US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/056,289 04/07/98 SHUTT

EXAMINER 17/2

EXXON CHEMICAL COMPANY
P O BOX 2149
DAYTOWN TX 77522

IN22/0509

ART UNIT	PAPER NUMBER
----------	--------------

TESKIM, F

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DATE MAILED:
1713

JUN 24 2004

OFFICE OF PETITIONS

05/09/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



Notice of Allowability

Application No.
09/056,289

Applicant(s)
Shutt, et al.

Examiner
Fred Teskin

Group Art Unit
1713



All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to amendment filed February 22, 2000.

☒ The allowed claim(s) is/are 1-110

☐ The drawings filed on _____ are acceptable.

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☐ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☐ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____

☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 6

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☐ Interview Summary, PTO-413

☒ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

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ACKNOWLEDGED

MAY 12 2000

Patent Admin. Group

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JUN 24 2004

OFFICE OF PETITIONS

Application/Control No. 09/056,289

Art Unit 1713


Examiner's Amendment/Comment

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicants, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

The directions for amending claim 2 in the Response of February 22, 2000 have been construed as authorizing substitution of --metallocene-- for "metallocene-type" in line 2 of claim 1, where the cited terminology actually appears, and the amendment entered as so construed. See MPEP 714.23.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner F. M. Teskin whose telephone number is (703) 308-2456.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu, can be reached on (703) 308-2450. The appropriate fax phone number for the organization where this application or proceeding is assigned is (703) 305-3599.


FMTeskin/05-08-00

FRED TESKIN
PATENT EXAMINER
ART UNIT 1551713



FORM - 1449

SHEET 1 OF 1

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

ATTY. DOCKET NO.

98B017/2

SERIAL NO.

UNASSIGNED

APPLICANT

John R. Shutt, et al

FILING DATE

04/07/98

GROUP

~~1755~~ 1713

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
<i>FF</i>	AA	5,627,242 A	06/06/97	Jacobsen, et al	526	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	PUBL. DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
<i>FF</i>	AB	WO 93 25591 A	12/23/93	PCT				
<i>FF</i>	AC	EP 0 575 875 A	12/29/93	Europe				
<i>FF</i>	AD	EP 0 624 604 A	11/17/94	Europe				
<i>FF</i>	AE	EP 0 643 078 A	03/15/95	Europe				

OTHER DISCLOSURES (Including Author, Title, Date, Pertinent Pages of Publication, Etc.)

	AF	
	AG	
	AH	

EXAMINER

FRED TESKIN
PATENT EXAMINER

DATE CONSIDERED

05/00

* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next comment to applicant

Express Mail Label No.

EL4045233US

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

Docket No.

98B017/3

☐ DUPLICATE (Check box if applicable)

First Named Inventor

Examiner

Group/Art Unit

J.R. Shutt

F. Teskin

1713

Address to:

Assistant Commissioner for Patents
Box CPA

Washington, D.C. 20231

EL404523233US

This is a request for filing a ☒ continuation, or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 09/056,289 filed on April 7, 1998 and entitled: Polymerization Process

1. ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. ☐ This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
- a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:

- b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

4. ☐ A new power of attorney or authorization of agent is enclosed.

5. ☐ An Information Disclosure Statement (IDS) is enclosed:

- a. ☐ PTO-1449

- b. ☐ Copies of IDS Citations

6. ☒ The fee for this application is calculated as follows:

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	110	- 20 =	90	x \$18.00	\$1,620.00
Indep. Claims	14	- 3 =	11	x \$78.00	\$858.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					690.00 8960.00
TOTAL FILING FEE					33,438.00 5,168.00

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

7. ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees to
Deposit Account No. 05-1715

- ☒ fees required under 37 C.F.R. 1.16.
- ☒ fees required under 37 C.F.R. 1.17.
- ☐ fees required under 37 C.F.R. 1.18.

8. ☐ A check in the amount of _____ is enclosed.

9. ☐ Also enclosed:

10. ☐ The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

NOTES

Submit an original, and a duplicate for fee processing.

FILING QUALIFICATIONS: The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated: August 9, 2000



Signature

Frank E. Reid

Typed or printed name

37,918

Registration Number (if applicable)

- ☐ Inventor(s)
☐ Assignee of complete interest
☒ Attorney or agent of record

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Application Serial No. 09/056,289 Filed 4/07/98

Type of Paper CPA

Family No. 98B017/2

Date Mailed Aug. 9, 2000

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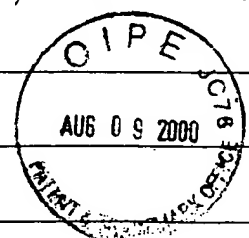
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FOR/902



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Shutt et al.

Serial No.: 09/056,289

Filed: April 7, 1998

For: Polymerization Process

BEFORE THE EXAMINER:

F. Teskin

Group Art Unit No.: 1713

Attorney Docket No.: 98B017/3

Baytown, Texas


**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

**DECLARATION IN SUPPORT OF PETITION TO WITHDRAW
HOLDING OF ABANDONMENT**

I, Catherine L. Bell, declare as follows:

1. A Notice of Allowance dated May 9, 2000 was received by Applicant on May 12, 2000 (copy attached);
2. The issue fee was due on August 9, 2000. The issue fee was not paid.
3. A Continued Prosecution Application (CPA) was timely filed on August 9, 2000 (copy attached).
4. The CPA was received by the USPTO (as Evidence by the Express Mail receipt and stamped postcard a copy of which is attached hereto).
5. The (CPA) was entered in to the U.S. Patent Office docket system with a date of August 9, 2000 (See attached PAIR printout).

6. A Notice of Abandonment for USSN 09/056,789 was mailed to Applicant (copy attached).
7. The Notice of Abandonment was received by Applicant on October 10, 2000.
8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information on belief are believed to be true. I further declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 19 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Catherine L. Bell
Counsel
Law Technology
ExxonMobil Chemical Company

March 24, 2004
CJB
3-24-04

Signed and witnessed this _____ day of March 2004.

Witness



JUN 24 2004

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Application Serial No. 09/056,789 Filed 4/7/98

Type of Paper Petition to Withdraw Holding of Abandonment
by Fee Transmittal Declaration in Support of Petition to Withdraw
Holding of Abandonment, copy of Notice of Allowability
dated May 9, 2000 Continued Prosecution Application (CPA) Request
Transmittal dated August 9, 2000 w/ copy of Return Receipt

Family No. 985017/3 Postcard & Express Mail/Mailing

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Application Serial No. 09/056,889

Filed 3/17/98

Type of Paper Petition to Withdraw Holding of Abandonment

by Fee Transmittal Declaration in Support of Petition to Withdraw Holding of Abandonment, Copy of Notice of Allowability dated May 9, 2000, Continued Prosecution Application (CPA) Request Transmittal dated August 9, 2000 w/ copy of Return Receipt

Family No. 98B017/3

Date Mailed March 24, 2004

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Patent and Trademark Office
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Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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09/05G - 289

98B017/2

EXXON CHEMICAL COMPANY
P.O. BOX 2048
DAYTOWN, PA 17022



EXAMINER

ART UNIT	PAPER NUMBER
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FYI: DATE MAILED: 10/04/00

NOTICE OF ABANDONMENT

This application is abandoned in view of:

- ☐ Applicant's failure to timely file a proper response to the Office letter mailed on _____.
- ☐ A response (with a Certificate of Mailing or Transmission of _____) was received on _____, which is after the expiration of the period for response (including a total extension of time of _____ month(s)) which expired on _____.
- ☐ A proposed response was received on _____, but it does not constitute a proper response to the final rejection.
- (A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC).)
- ☐ No response has been received.
- ☐ Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.
- ☐ The issue fee (with a Certificate of Mailing or Transmission of _____) was received on _____.
- ☐ The submitted issue fee of \$_____ is insufficient. The issue fee required by 37 CFR 1.18 is \$_____.
- ☐ The issue fee has not been received.
- ☐ Applicant's failure to timely file new formal drawings as required in the Notice of Allowability.
- ☐ Proposed new formal drawings (with a Certificate of Mailing or Transmission of _____) were received on _____.
- ☐ The proposed new formal drawings filed _____ are not acceptable.
- ☐ No proposed new formal drawings have been received.
- ☐ The express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on _____.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:

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Aug 9, 2000

OCT 10 2000

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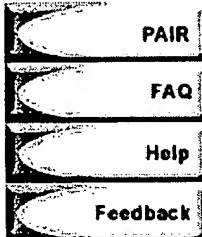
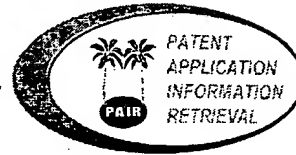
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TOM HAWKINS
305-8380



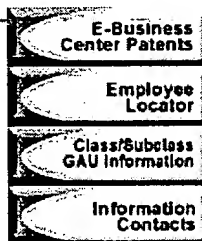
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Search results for application number: 09/056,289			
Application Number:	09/056,289	Customer Number:	23455
Filing or 371(c) Date:	04-07-1998	Status:	Abandoned -- Failure to Pay Issue Fee
Application Type:	Utility	Status Date:	10-02-2000
Examiner Name:	TESKIN, FRED M	Location:	FILE REPOSITORY (FRANCONIA)
Group Art Unit:	1713	Location Date:	07-09-2001
Confirmation Number:	5091	Earliest Publication No:	-
Attorney Docket Number:	98B017/2	Earliest Publication Date:	-
Class/ Sub-Class:	526/071	Patent Number:	-
First Named Inventor:	JOHN R. SHUTT, HOUSTON, TX (US)	Issue Date of Patent:	-
Title Of Invention: POLYMERIZATION PROCESS			

Foreign Priority

Continuity Data

File Contents History

Number	Date	Contents Description
22	06-29-2000	Workflow - File Sent to Contractor
21	10-02-2000	Mail Notice of Abandonment from Publications
20	10-02-2000	Abandonment for Failure to Pay Issue Fee
19	08-09-2000	Workflow - Request for CPA - Begin
18	05-09-2000	Mail Notice of Allowance
17	05-09-2000	Notice of Allowance Data Verification Completed
16	05-08-2000	Notice of Allowability
15	03-01-2000	Date Forwarded to Examiner
14	02-22-2000	Response after Non-Final Action
13	02-22-2000	Request for Extension of Time - Granted
12	09-13-1999	Information Disclosure Statement (IDS) Filed
11	10-07-1999	Mail Non-Final Rejection
10	10-01-1999	Non-Final Rejection
9	06-16-1999	Case Docketed to Examiner in GAU
8	09-25-1998	Information Disclosure Statement (IDS) Filed
7	11-12-1998	Case Docketed to Examiner in GAU
6	06-02-1998	Application Dispatched from OIPE
5	05-29-1998	Application Is Now Complete
4	05-08-1998	Notice Mailed--Application Incomplete--Filing Date Assigned
3	05-04-1998	IFW Scan & PACR Auto Security Review

2	05-04-1998	IFW Scan & PACR Auto Security Review
1	04-09-1998	Initial Exam Team nn

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